SB CIVIL MISC. APPEAL NO.2501/2006
Babu Lal & anr. V/s United India Insurance Co. Ltd. & Ors.

1.9.2006

HON'BLE MR. JUSTICE P.S. ASOPA

Mr.B.L. Dhaker, for the appellants.

This is an appeal for enhancement of compensation against the award dated 13.4.2005 in MAC case No.54/01 passed by the MACT cum Additional District Judge No.1, Bayana.

The facts, in brief, of the case are that on 22.4.1999 when the appellants claimants were traveling in a Tractor Trolley, suddenly a Truck No.RJ-11-G-0304 hit the Tractor Trolley. As a result of which, the injured appellant sustained five injuries, out of which three were simple injuries and two were grievous.

The Claims Tribunal after taking into consideration the evidence on record, awarded Rs.13,000/- for injuries, Rs.1840 for loss of income of 23 days considering Rs.80 per day wages and Rs.5709/- for medicines. In all Rs.20,549/- has been awarded.

The submission of counsel for the appellant is that award for physical pain and mental agony is on lower side.

I have gone through the award of the Claims Tribunal and further

considered the submission of counsel for the appellant.

In my view, the Claims Tribunal has rightly calculated the compensation on the various head. There is no illegality in compensating the appellant by Rs.13,000/- for physical pain and mental agony. The award does not suffer from any error.

The appeal fails and is dismissed.

(**P.S. ASOPA) J.**

ummed/-